

# Notice of Allowability

Application No.

09/760,961

Examiner

Anthony T Ton

Applicant(s)

HRASTAR ET AL.

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/18/04.
2. ☒ The allowed claim(s) is/are 1,3-12 and 14-22.
3. ☒ The drawings filed on 3/19/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**PHIRIN SAM**  
**PRIMARY EXAMINER**



**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. The following is an examiner's statement for amending **claims 1 and 12**, and canceling **claims 2 and 13** as the agreement of Applicant:

Based on a conversation on telephone between Examiner **Anthony Ton** and Attorney **Jeffrey R. Kuester** (Registration No. 34,367) on 3/2/2005, the Attorney does agree to allow the Examiner to do an Examiner's statement as the following:

a) **In Claim 1**: Please insert the following words between the words "**the at least one host**" and the words "**; and**" in line 8 of this claim:

---, wherein the link address comprises an identifier for a frequency in the RF connection, the messages being carried on the RF connection in a RF channel associated with the frequency---

b) **In Claim 12**: Please insert the following words between the words "**the at least one host**" and the words "**; and**" in line 9 of this claim:

---, wherein the link address comprises an identifier for a frequency in the RF connection, the messages being carried on the RF connection in a RF channel associated with the frequency---

c) Please cancel **Claims 2 and 13**.

***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance:

a) **In Regarding to Claims 1 and 3-11**: The prior arts of record fail to teach a method employed in a RF modem in dynamic assignment of a link address on a RF connection, the RF connection connecting the RF modem with a head end, the link address being used by the head

end for forwarding of information from the head end through the RF modem to at least one host that is connected to the RF modem, the method comprising the steps performed in the RF modem of:

selecting, based upon the link address, a message that is carried on the RF connection to be forwarded to the at least one host; and

wherein the link address comprises an identifier for a frequency in the RF connection, the messages being carried on the RF connection in a RF channel associated with the frequency.

**b) In Regarding to Claims 12 and 14-22:** The prior arts of record fail to teach an apparatus for obtaining a dynamic assignment of a link address in a RF modem, the RF modem connected to a head end over a RF connection, the link address being used by the head end for forwarding of information from the head end through the RF modem to at least one host that is connected to the RF modem, the apparatus comprising a combination of steps of:

logic configured to select, based upon the link address, a message that is carried on the RF connection to be forwarded to the at least one host; and

wherein the link address comprises an identifier for a frequency in the RF connection, the messages being carried on the RF connection in a RF channel associated with the frequency.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Anthony T Ton** whose telephone number is **571-272-3076**. The examiner can normally be reached on M-F: 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chau Nguyen** can be reached on **571-272-3126**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

by : *guber*  
Anthony T. Ton  
Patent Examiner  
March 02, 2005

  
**PHIRIN SAM**  
**PRIMARY EXAMINER**